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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,700	09/22/2000	Joachim Kim	J300U001US02	2337
33893	7590	10/01/2010		
JLB CONSULTING, INC. c/o INTELLEVATE P.O. BOX 52050 MINNEAPOLIS, MN 55402			EXAMINER NEWLIN, TIMOTHY R	
			ART UNIT	PAPER NUMBER
			2424	
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			10/01/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/668,700

Applicant(s)

KIM, JOACHIM

Examiner

Timothy R. Newlin

Art Unit

2424

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 75-78 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 75-78 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/23/2010 has been entered.

Response to Arguments

After a review of the prior art and in consideration of Applicant's arguments, the prior rejection is withdrawn in favor of the new rejection over Jain presented below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 75-78 are rejected under 35 U.S.C. 102(e) as being anticipated by Jain et al., US 6,360,234.

Regarding claim 75, Jain discloses a transformer comprising:

a converter including an input for receiving media content **[video cataloger 110, Fig. 1; cols. 4-5, II. 31-4; cols. 7-8, II. 65-10]** without regard to format **[col. 3, 48-52]**, said converter automatically and separately providing:

at least one media block comprising a portion of said media content **[digital video 122]** and

a description of said portion of media content, wherein said description does not include a storage address for said media block **[metadata 112, col. 6, 29-47; Table 1, col. 7; Fig. 6]**;

a storage managing unit coupled to said converter to receive said at least one media block and said description, said storage managing unit storing said at least one media block in a first memory **[content server 140 may be a file system storing video files, Fig. 1, col. 3, 63-67]** and said storage managing unit storing said description in a second memory **[metadata server 130 may be a file system containing HTML files, Fig. 1, col. 3, 53-58]**;

a translator configured to relate said stored media block to said stored description **[metadata track index manager, col. 7, 1-20; cols. 8-9, II. 22-23]**,

said transformer thereby enabling random retrieval of a plurality of stored media blocks in response to receiving a single request comprising said description from a

requestor when said request does not include an address for said description and does not include an address for retrieved ones of said plurality of stored media blocks **[Fig. 8, cols. 13-14, ll. 65-1; also see col. 1, 46-62, col. 2, 8-15]**.

Regarding claim 76, Jain discloses a transformer wherein said converter input is coupled to at least one encoder selected from the group comprising: MPEG, AVI, and DIVX said transformer enabling retrieval of media content blocks based on said description regardless of selected encoder **[col. 4, 1-9; also see col. 5, 8-38]**.

Regarding claim 77, Jain discloses a transformer wherein said description comprises at least one of program name, program start time, program end time, channel, duration, and key word **[key word, col. 6, 55-57 and Table 1, col. 7]**.

Regarding claim 78, Jain discloses a transformer wherein at least one of said portions of media content comprises a single frame of said media content and wherein said single frame is retrievable from storage based on said description **[keyframe track 320, Fig. 6, col. 6, 32-38]**.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy R. Newlin whose telephone number is (571) 270-3015. The examiner can normally be reached on M-F, 8-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher Kelley/
Supervisory Patent Examiner, Art
Unit 2424

TRN